



AP/ 1764

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Roger R. Lesieur

Serial No.: 09/332,415

Filed: June 14, 1999

For: "Compact Light Weight Methanol Fuel Gas Autothermal Reformer Assembly"

Docket No.: C-2354

Group: 1764

Examiner: B. Ridley

RESPONSE D

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DEC 02 2003
TC 1700

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Office Action dated November 4, 2003. That office action stated that the terminal disclaimer filed October 2, 2003 in connection had not been accepted by the USPTO due to the alleged fact that the disclaimer does not comply with 37 CFR 1.321(b) and/or (c) because: the person who has signed the disclaimer has not stated the extent of his/her interest, or the business entity's interest, in the application/patent. The Examiner specifically cites 37 CFR 1.321(b)(3) in support of the refusal to accept the terminal disclaimer. The cited section of the CFR requires that the terminal disclaimer state the present extent of applicant's or assignee's ownership interest in the patent to be granted. The first sentence of the terminal disclaimer complies with this requirement, in that it explicitly states that the subject application and the co-pending application are commonly owned by UTC Fuel Cells, LLC. Thus the business entity's (UTC Fuel Cells, LLC) interest in the application in question is explicitly set forth in the terminal disclaimer. The limited liability corporation owns the application in question and the copending application. §1.321(b)(1) explicitly empowers an attorney of record to sign the terminal disclaimer, which was done in the instant case. This fact was clearly set forth in the terminal disclaimer, page 2.

In view of the above, it is respectfully submitted that the terminal disclaimer which was submitted in this case does comply with the requirements of 37 CFR 1.321(b) and should be accepted. The Examiner's attention is directed to MPEP§1490 for the form that the USPTO suggests be used in cases such as this. Should the Examiner persist in his/her position, Applicants respectfully request a more explicit explanation of the grounds for the refusal than was provided in the office action referred to above.

This application is thus presently in condition for allowance. Early notice to that effect is courteously requested.

Respectfully submitted,



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Date 11-4-03

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